

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KEYSEAN L. KEYES,

12/10/2020 4:38 pm

Plaintiff,

ORDER

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

-against-

18-CV-6630 (JMA)(SIL)

STANLEY WILLIAM WILSON, MTA Worker;
PRESIDENT DONALD TRUMP,
JUDGE DARLENE HARRIS,

Defendants.

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JOAN M. AZRACK, District Judge:

On October 31, 2018, *pro se* plaintiff Keysean L. Keyes, a frequent filer who has a leave to file sanction entered against her in this Court,¹ filed a new *in forma pauperis* complaint in the United States District Court for the Eastern District of Pennsylvania. By Transfer Order dated November 14, 2018, the complaint was transferred to this Court and, on November 20, 2018, was assigned to the undersigned. The complaint is against Stanley William Wilson (“Wilson”), President Donald Trump, and Judge Darlene Harris, New York State District Court, Nassau County (“Judge Harris”).

The Court GRANTS plaintiff’s application to proceed *in forma pauperis* pursuant 28 U.S.C. § 1915 solely for the purpose of this Order. Given that the present complaint is repetitive and frivolous, the present complaint is DISMISSED WITH PREJUDICE for the same reasons set forth by District Judge Cynthia M. Rufe and District Judge Chad F. Kenney of the Eastern District of Pennsylvania in their well-reasoned and thorough Memorandums in cases assigned Docket Nos. 18-CV-4670(CMR) (Docket Entry 8), 18-CV-4671(CMR), 18-CV-4672(CFK) (Docket Entry 3), 18-CV-4692(CMR), 18-CV-4693(CMR), 18-CV-4699(CFK), 18-CV-4709(CMR), 18-CV-4710

¹ See *Keyes v. Quinn*, 17-CV-6429 (Docket Entry 8), Filing Injunction Order, dated March 20, 2018 (enjoining Keyes from filing any new *in forma pauperis* complaint in this Court without first seeking leave of Court and prohibiting Keyes from personally filing any papers at Court, instead limiting her to filing by mail); *Keyes v. Quinn, et al.*, 17-CV-3575 (Docket Entry 15), dated December 14, 2017 (enjoining Keyes from filing any new action in this Court relating to her underlying criminal case and any subjects raised in any of her twenty-three (23) complaints consolidated under 17-CV-3575 without first seeking leave of Court).

(CFK), 18-CV-4714(CMR).²

Dismissal is also warranted because plaintiff filed these cases in the Eastern District of Pennsylvania in an attempt to circumvent this Court's filing injunction.

Finally, plaintiff's claims must also be dismissed under the doctrine of *res judicata*. In the cases that were previously dismissed in the Eastern District of Pennsylvania, Plaintiff raised similar claims against Wilson 18-CV-4670(CMR) and 18-CV-4699(CFK), against Judge Harris in 18-cv-4671(CMR), 18-cv-4672(CFK), and 18-cv-4699(CFK), and against President Trump in 18-cv-4672(CFK) and 18-cv-4699(CFK). Prior dismissals under § 1915(e) have *res judicata* effect on subsequent in forma pauperis applications. *Cieszkowska v. Gray Line New York*, 295 F.3d 204, 205 (2d Cir. 2002). Under the doctrine of *res judicata* (which is also known as claim preclusion), “once a final judgment has been entered on the merits of a case, that judgment will bar any subsequent litigation by the same parties or those in privity with them concerning the transaction, or series of connected transactions, out of which the [first] action arose.” Id. (quoting *Maharaj v. Bankamerica Corp.*, 128 F.3d 94, 97 (2d Cir. 1997)). *Res judicata* requires dismissal of the claims against all three defendants named in the instant suit.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and, should plaintiff seek leave to appeal *in forma pauperis*, such status is DENIED for the purpose of any appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

² Copies of these Memorandums are annexed to this Order.

The Clerk of the Court is directed to close this case and to mail a copy of this Order to the plaintiff at 315 S. Broad Street, Unit #414, Philadelphia, PA 19107 and at P.O. Box 1812 Mineola, NY 11501.

SO ORDERED.

Dated: December 10, 2020
Central Islip, New York

_____/s/ (JMA)
Joan M. Azrack
United States District Judge